

United States District Court

**EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

STEVEN CONE, ET AL.,

Plaintiff,

V.

**VORTENS, INC., SANITARIOS
LAMOSA S.A. DE C.V., and
PORCELANA CORONA DE
MEXICO, SA. DE C.V.,**

Defendants.

CIVIL ACTION NO. 4:17-CV-001

**MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE AND ORDER OF PARTIAL DISMISSAL**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On May 11, 2018, the report of the Magistrate Judge (Dkt. #125) was entered containing proposed findings of fact and recommendations that Plaintiffs Don Sander and Sheila Sander and Defendant Porcelana Corona de Mexico, S.A. de C.V. f/k/a Sanitarios Lamosa S.A. de C.V. a/k/a Vortens' Joint Motion for Order of Partial Dismissal with Prejudice (the "Joint Motion") (Dkt. #120) be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that the Joint Motion (Dkt. #120) is **GRANTED**, and the individual claims asserted by Plaintiffs Don Sander

and Sheila Sander are hereby **DISMISSED WITH PREJUDICE**, with each party to bear its own costs. The claims of the remaining plaintiffs, including those alleged to be similarly situated, remain pending at this time.

IT IS SO ORDERED.

SIGNED this 1st day of June, 2018.

A handwritten signature in black ink, reading "Amos Mazzant", is written over a horizontal line.

AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE